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Attorneys for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARYLON BOYD, individually and as
Executor of the Estate of CAMMERIN
BOYD, deceased, ISABEL GONZALEZ,
a minor by and through her Guardian Ad
Litem, Isela Gonzalez, and KANANI
BOYD, a minor by and through her
Guardian Ad Litem, Kamilah Boyd,

Plaintiffs,

vs.

CITY AND COUNTY OF SAN
FRANCISCO, HEATHER J. FONG,
WILLIAM ELIEFF, GREGORY KANE,
JAMES O'MALLEY, TIMOTHY PAINE,
STEVEN STEARNS, and DOES 1 TO 10,
inclusive,

Defendants.

Case No. 04-5459 MMC

**STIPULATION TO CONTINUE
EXPERT DISCLOSURE AND
DISCOVERY;
~~[CORRECTED PROPOSED]~~ ORDER**

1 WHEREAS, pursuant to the Court's Order, expert disclosure is currently scheduled for
 2 March 22, 2007, rebuttal expert disclosure is due April 12, 2007 and the close of expert discovery is
 3 May 8, 2007.

4 WHEREAS, due to the complexities of the issues concerning experts in this matter, the
 5 parties stipulate to, and hereby request a short continuance of expert disclosure to March 30, 2007,
 6 rebuttal expert disclosure to April 19, 2007, and the close of expert discovery to May 11, 2007.

7 WHEREAS, the parties are experiencing problems producing all expert reports by the current
 8 deadline because of the press of business for certain experts and with respect to one defense expert, a
 9 significant personal trauma, namely: A very close family member of the expert passed away and
 10 was to be cremated. The person who was to perform the cremation badly mishandled the body
 11 (along with a number of other bodies) resulting in significant decomposition of the body because the
 12 body was sitting in a garage, unrefrigerated, for a significant period of time, unbeknownst to the
 13 family. This has caused significant emotional trauma and shock to the expert and has prevented the
 14 expert from completing the report. It will be extremely difficult, and perhaps impossible, for the
 15 expert to complete the report by the current deadline.

16 WHEREAS, the requested continuance will not disturb the pretrial conference and trial dates
 17 as presently set by the Court, and is in the interest of justice to all parties, particularly because the
 18 current expert discovery cutoff (May 8) is already on the same day that motions in limine are due
 19 (May 8);

20 AND WHEREAS the Court previously rejected a stipulation to extend expert discovery
 21 deadlines, leading the parties to agree to a shorter extension (as embodied in this stipulation) to
 22 address the Court's concerns;

23 **IT IS SO STIPULATED:**

24 LAW OFFICES OF VICKI SARMIENTO

25
 26 DATED: March 14, 2007

By: _____ s/

VICKI SARMIENTO

Attorney for Plaintiffs

ISABEL GONZALEZ AND KANANI BOYD

LAW OFFICES OF DALE GALIPO

DATED: March 14, 2007

By: _____ s/

DALE GALIPO
Attorney for Plaintiff
MARYLON BOYD

DENNIS J. HERRERA
City Attorney
JOANNE HOEPER
Chief Trial Deputy
BLAKE P. LOEBS
SCOTT D. WIENER
Deputy City Attorneys

DATED: March 14, 2007

By: _____ s/

BLAKE P. LOEBS
Attorneys for Defendants

~~PROPOSED~~ ORDER

Expert disclosure is continued to March 30, 2007, rebuttal expert disclosure to April 19, May 8, 2007, and the close of expert discovery is continued to May 11, 2007.

Dated: March 14, 2007



HONORABLE MAXINE CHESNEY